

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 31304 of 2007(B)

PETITIONER:

M/S.STAR FOUNDATIONS AND STRUCTURES
PVT.LIMITED, CHERUPARAMBATH ROAD,
KADAVANTHRA, KOCHI-20
REP. BY ITS MANAGING DIRECTOR
AJAY.V.GEORGE.

BY ADV. SMT.R.RANJINI

RESPONDENTS:

1. THE COMMERCIAL TAX OFFICER (W.C AND L.T)
OFFICE OF THE DEPUTY COMMISSIONER,ERNAKULAM.
2. THE DEPUTY COMMISSIONER (APPEALS)
OFFICE OF THE DEPUTY COMMISSIONER
ERNAKULAM,KOCHI-15.
3. THE SALES TAX OFFICER (W.C AND L.T)
THEVARA, ERNAKULAM.
4. INSPECTING ASST. COMMISSIONER
COMMERCIAL TAXES (R.R.) KAKKANAD,
ERNAKULAM, KOCHI-30.

BY ADV. SRI.K.P. PRADEEP. GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29/10/2007,THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Dated this the 29th day of October, 2007

J U D G M E N T

Aggrieved by Exts.P4 to P6 orders of assessment, petitioner filed Ext.P7 appeal together with a stay petition, which is also appended to the appeal. In the meanwhile petitioner faces revenue recovery as per Ext.P4 for a sum of Rs.41,26,633/-. It is submitted that petitioner had already remitted an amount of Rs.10,31,700/-. Petitioner seeks disposal of the appeal keeping in abeyance further proceedings pursuant to revenue recovery proceedings.

2. Now that Ext.P7 appeal filed is pending consideration of the 2nd respondent, I am inclined to direct the 2nd respondent to consider and pass orders on Ext.P7 appeal as expeditiously as possible. Accordingly, I dispose of this writ petition with the following directions:

(i) The 2nd respondent shall consider and pass orders on Ext.P7 appeal, as expeditiously as possible, at any rate, within eight weeks from the date of receipt of a copy of this judgment.

(ii) In the meantime, further proceedings pursuant to Ext.P8 will stand stayed on condition that the petitioner remits a sum of Rs.10,00,000/- within two weeks from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE

vps

